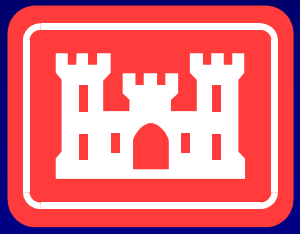


US Army Corps of Engineers®

USACE Civilian Drug Testing Program Briefing

Agenda

- Authority to Test
- Types of Drug Testing
- Testing Designated Position (TDP)
- Urine Collection Procedures
- Consequences of Illegal Drug Use
- How to seek help with a drug problem

Legal and Regulatory Basis

(cont.)

- Agency Drug-Free Workplace Plan
  - Agency policy statement
  - EAP - assessment, counseling & referral to treatment program
  - Supervisory training
    - ID users
    - Take corrective action
  - Testing to identify illegal drug use

Legal & Regulatory Basis
(cont.)

- DoD Directive 1010.9 - “DoD Civilian Employee Drug Abuse Testing Program”
- AR 600-85 - “Alcohol and Drug Abuse Prevention and Control Program”
- EP 600-1-3 - “USACE Drug Testing Procedures”

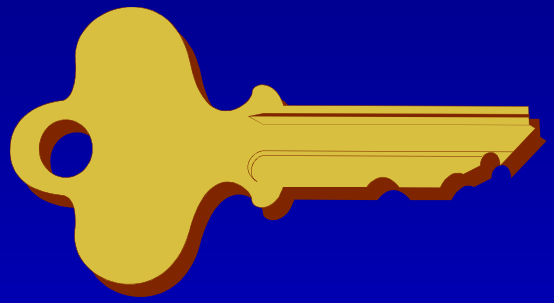
USACE Policy

Commander's Policy Memorandum #7

"…it is the policy of the U. S. Army Corps of Engineers that use of illegal drugs on or off duty will not be tolerated."

3 April 2001

Employee Assistance Program (EAP)



- Key to Drug-Free Workplace
  - Assessment
  - Short-Term Counseling
  - Referral to Treatment Programs

Types Of Drug Testing

- Reasonable Suspicion Testing
- Accident or Unsafe Practice
- Voluntary Testing
- Follow-Up Testing
- Applicant Testing - (TDPS Only)
- Random Testing - (TDPS Only)

Voluntary Testing

- To demonstrate commitment to a Drug-Free Workplace
- TDPs cannot volunteer
- Subject to unannounced random testing (separate pool)
- Subject to same penalties for positive test

Follow-Up Testing

- Testing during or following enrollment in rehabilitation
- Separate from rehabilitation testing

  (part of employee's clinical treatment plan)
- Unannounced
- Agency notified of positive test result

Applicant Testing

- Applies **only** to Testing Designated Positions
- Negative test result required before placement in a TDP

Random Testing

- TDPs only
- Unannounced
- No suspicion of drug use
- Randomly selected
  - Some employees may be tested more than once
  - Some employees may never be tested

Random Testing (cont.)

DoD - 100% test rate

 # TDP in Division Pool X 100 =

# of random tests required

e.g. 200 TDPs X 100 = 200 tests

Testing Designated Position (TDPs)

- Sensitive positions or categories of positions that involve:
  - law enforcement, national security
  - protection of life and property or public health and safety
- Employees subject to unannounced random testing
- Applicants must be drug-free

Army-Wide TDP Categories

Army-Wide TDP Categories (cont.)

- Positions which authorize incumbent to carry firearms
- Law enforcement personnel with drug interdiction duties who have access to firearms
- Railroad personnel
- Aviation flight crewmembers, air traffic controllers, etc.

Army-Wide TDP Categories (cont.)

- Jobs in the Army Alcohol and Drug Abuse and Prevention Control Program who are involved in treating and rehabilitating illegal drug abusers
- Jobs which require enrollment in Army's Personnel Reliability Program – nuclear & chemical responsibilities
- Supervision or performance of fire fighting
- Handling munitions or explosives
- Work with explosives or other dangerous materials when electroplating critical aircraft parts

Army-Wide TDP Categories (cont.)

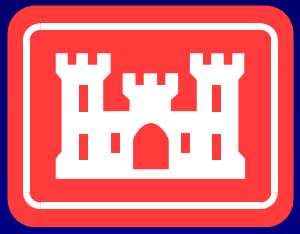
- **Operators of motor vehicles required to maintain a Commercial Driver's License (CDL) *and***

  Operators of motor vehicles transporting hazardous materials

  (no CDL required).

Army-Wide TDP Categories (cont.)

- **Positions which require the incumbent to maintain a Top Secret Clearance or have access to Sensitive Compartmented Information (SCI).**



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USACE -Specific

TDP Categories

USACE Category No. 1

Operate Surface Vessel

Positions that require the incumbent to operate a surface vessel, whether powered or not, including dredging equipment, when duties include operating, navigating, steering, directing, or sailing the vessel, or operating the spuds on a

USACE Category No. 1
(cont.)

- **Includes:**

  5479 Dredging Equipment Operator

  5782 Ship Operator

  5784 Riverboat Operator

  5786 Small Craft Operator

  ****4742 Engine & Machinery Operation & Repair**

  ****5788 Vessel Deck Crew (Boatswain, deckhand, Shipkeeper)**

****if involved in engine operation while vessel is underway**

USACE Category No. 2

Operate Navigational Locks

Positions that require the incumbent to operate navigational locks for passage of marine surface traffic or that involve dispatching and clearing marine surface traffic in and out of narrow ship canals, to include marine traffic

USACE Category No. 2
(cont.)

- **Includes:**
  - **2101 Transportation Specialist**
  - **2150 Transportation Operations**
  - **5426 Lock & Dam Operator**

USACE Category No. 3

Operate Flood Control Gates

Positions that require the incumbent to operate flood control gates to control water levels on waterw dam operators.

USACE Category No. 3
(cont.)

- 5426 Lock & Dam Operator
- 4749 Flood Control Maintenance Worker
- 5407 Power Plant Operator

USACE Category No. 4

Operate Water Treatment Plant

Positions that require the incumbent to operate a water treatment plant to produce potable water for community and government use in which the duties include laboratory testing of water samples or the introduction of potentially hazardous chemicals and compounds into the water in the course of treatment.

Employee Notification

- Commander's Policy Memorandum #7
- General notice to USACE Workforce
- Supervisors issue 30-day notices to employees in TDPs
  - Test procedures, consequences, assistance available
  - Appendix D to EP 600-1-3
  - District Drug Program Coordinator files notices

TDP Pools

- Each Division & subordinate Districts constitute a Division-level pool
- ERDC - separate pool
- HQ/HECSA- separate pool, includes
  - HQUSACE
  - HECSA
  - TAC
  - 249th Engineer Battalion
  - Institute for Water Resources
  - HNC
- Division & District Drug Program Coordinators

Random Selection

- Division Drug Program Coordinators maintain Division list of incumbents of TDPs
- Quarterly (Minimum)
- Automated random selector

Notification of Random Selection

- Division Drug Program Coordinator notifies District Drug Program Coordinator
- District Drug Program Coordinator
  - verifies 60 day notice
  - schedules collection
  - notifies supervisors

Notification of Random Selection (cont.)

- **Supervisor privately tells employee:**
  - **Selected for random testing**
  - **No suspicion of illegal drug use**
  - **When & where to report with photo ID**
  - **Issue MFR of notification**

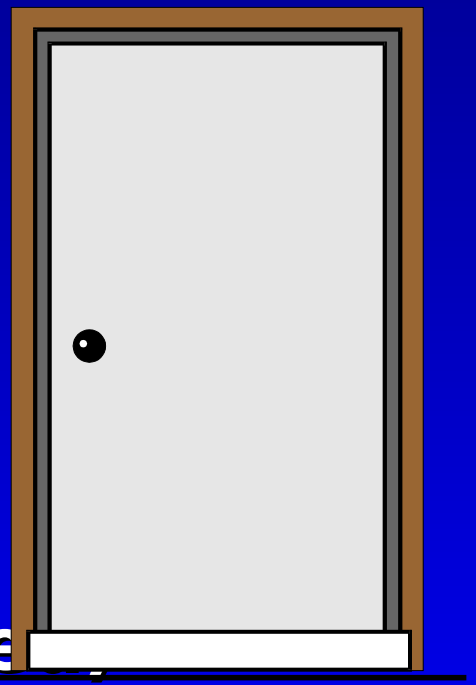
Deferral of Testing

- If the employee is
  - On leave
  - On official travel away from worksite or about to depart
  - Unable to leave worksite because of the current task.
- 1st & 2nd level supervisors decide
- Unannounced test scheduled within 60 days of deferral

Drug Testing Process

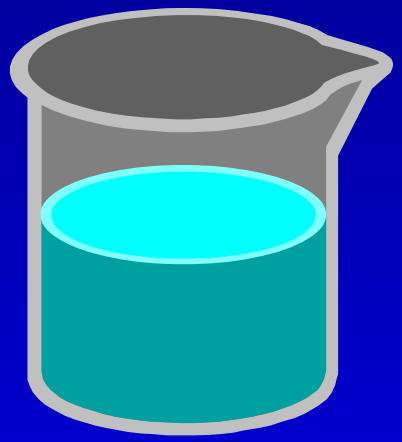
Specimen Collection

- DHHS government-wide procedures
- On-site or Clinic
- EMPLOYEE IS ASKED TO:
  - Show photo ID
  - Remove coat
  - Wash hands
- Individual Privacy (unobserved)



Specimen Collection (cont.)

- Collector
  - Checks
    - volume - minimum 30 ml
    - temperature
    - color
  - Applies tamper-evident seal
    - Employee Initials
  - Completes Custody Control Form
    - Employee Initials
  - Ships specimen to DoD/HHS certified laboratory



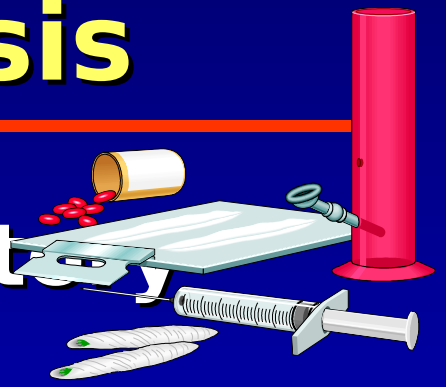
Specimen Collection (cont.)

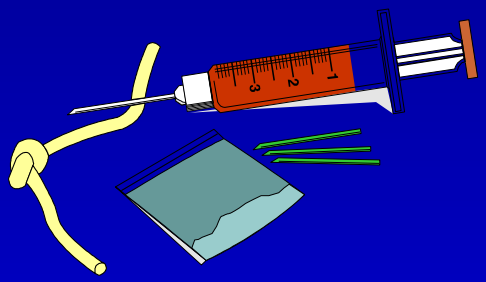
Direct Observation

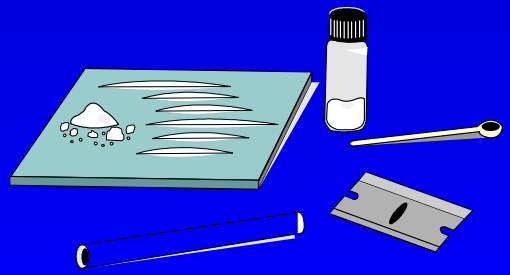
If there is reason to believe that the individual may have altered or substituted the specimen, another specimen will be collected under direct observation of a same gender collector.

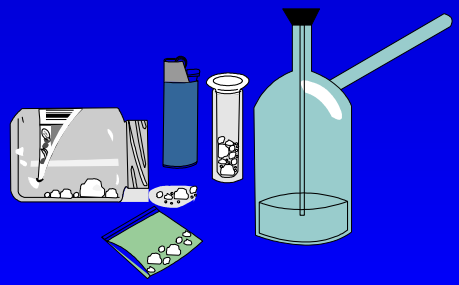
Laboratory Analysis

- DoD/HHS certified laboratory
- Marijuana
- Cocaine
- Opiates
- Phencyclidine (PCP)
- Amphetamines



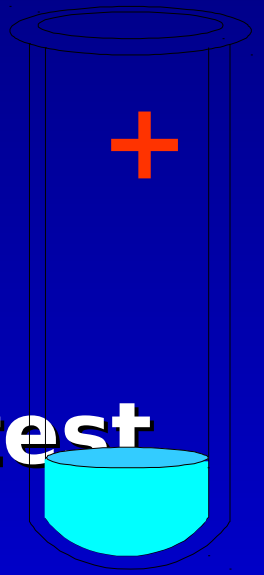






Laboratory Analysis

- Initial test
- If positive, confirmatory test
- Results to Medical Review Officer



Medical Review Officer (MRO)

- Receives all laboratory results - “+” & “-”
  - No further action for negatives
- Positives
  - Reviews of Chain-of-Custody
  - Contacts employee to discuss legitimate reasons for positive (e.g. prescription medication)
  - No action if medically justified
- Verified positives only
  - Notifies Division Drug Program Coordinator
  - Division DPC contacts District DPC
  - District DPC contacts supervisor

‘Finding’ of Illegal Drug Use

- **REQUIRED ACTIONS**
  - **Assignment to non-TDP**
  - **Mandatory referral to EAP**
  - **Consideration of Discipline**

Consequences — Disciplinary Action

- First Finding
  - Reprimand
  - Suspension
  - Removal

Consequences — Disciplinary Action (cont.)

Discretionary

- **Discipline not required for first finding when employee:**
  - **Voluntarily admits usage**
  - **Obtains counseling/rehab**
  - **Remains drug-free**

Consequences — Disciplinary Action (cont.)

Mandatory

- EO 12564 requires proposed removal
  - Second finding of illegal drug use
  - Refusal to obtain counseling/rehab

Consequences — Disciplinary Action (cont.)

Refusal To Be Tested

"An employee who refuses to be tested, when so required, shall be subject to the full range of disciplinary action, including dismissal."

(DOD 1010.9, 6.2.10)

Employee Safeguards

- **HHS Mandatory Guidelines**
  - **Detailed procedures for collection, laboratory analysis & medical review of specimens**
  - **Strict Chain of Custody**
  - **Confidentiality of records -**
    - **Protection from unauthorized disclosure**
  - **Employee access to records**

Summary

- Authority to Test
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- Urine Collection Procedures
- Consequences of Illegal Drug Use
- How to seek help with a drug problem